

FILED IN OPEN COURT
U.S.D.C. - Atlanta

APR 19 2022

KEVIN P. WEIMER, Clerk
By: *[Signature]* Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

KYLE TIMOTHY WATT

Criminal Information

No. 1:22-cr-00131

THE UNITED STATES ATTORNEY CHARGES THAT:

Count One
(Conspiracy - 18 U.S.C. § 371)

Beginning on a date unknown, but from at least in or around September 2019, and continuing through in or around October 2020, in the Northern District of Georgia and elsewhere, the defendant, KYLE TIMOTHY WATT, and individuals known and unknown to the United States Attorney, including T.T., who are not charged in this Criminal Information, knowingly and willfully conspired, agreed and had a tacit understanding with one another to knowingly make a false and fictitious written statement to a licensed firearms dealer under Chapter 44, Title 18, United States Code, in connection with the acquisition of a firearm, which statement was intended and likely to deceive the federally licensed firearms dealer, as to a fact material to the lawfulness of the acquisition of the firearm, in violation of Title 18, United States Code, Section 922(a)(6).

Manner and Means

The manner and means used to accomplish the objectives of the conspiracy included, among other means, the following:

1. It was a part of the conspiracy that the defendant, KYLE TIMOTHY WATT, unlawfully purchased firearms for individuals known and unknown to the United States Attorney, including for T.T., who were the actual transferees and buyers of the firearms, from multiple federally licensed firearms dealers in the Northern District of Georgia.

2. It was further a part of the conspiracy that the defendant, KYLE TIMOTHY WATT, completed an ATF Form 4473 at the time of purchase of said firearms. ATF Form 4473 is the official firearms transaction record for intrastate, over-the-counter sales, or dispositions of firearms, which must be maintained by federally licensed firearms dealers.

3. It was further a part of the conspiracy that the defendant, KYLE TIMOTHY WATT, falsely attested in each ATF Form 4473, completed at the time of the purchase of firearms from federally licensed firearms dealers, that he was the actual transferee and buyer of the firearms.

4. It was further a part of the conspiracy that, contrary to the attestations made on the ATF Form 4473, the defendant, KYLE TIMOHTY WATT, directly provided the firearms to individuals known and unknown to the United States Attorney, including to T.T., who were the actual transferees and buyers of the firearms.

Overt Acts

In furtherance of the conspiracy, the defendant, KYLE TIMOTHY WATT, and individuals known and unknown to the United States Attorney, including T.T., committed at least one of the following overt acts:

1. From in or around September 2019, through in or around October 2020, the defendant, KYLE TIMOTHY WATT, purchased firearms from various federally licensed firearms dealers throughout the Northern District of Georgia.

2. On or about May 4, 2020, the defendant, KYLE TIMOTHY WATT, purchased six (6) Taurus, model G2C, 9mm caliber pistols from Kudzu Tactical LLC, a federally licensed firearms dealer located in Cobb County, Georgia.

3. At the time of purchase, the defendant, KYLE TIMOTHY WATT, completed an ATF Form 4473 purporting to be the actual transferee and buyer of the firearms.

4. It was further a part of the conspiracy that, contrary to the attestations made on the ATF Form 4473, the defendant, KYLE TIMOTHY WATT, directly provided the firearms to individuals known and unknown to the United States Attorney, including to T.T., who were the actual transferees and buyers of the firearms.

All in violation of Title 18, United States Code, Section 371.

Count Two

(False Statement to Federally Licensed Firearms Dealer - 18 U.S.C. § 922(a)(6))

On or about May 4, 2020, in the Northern District of Georgia, the defendant, KYLE TIMOTHY WATT, and others known and unknown to the United States Attorney, including T.T., who are not charged in this Criminal Information, aided and abetted by one another, did knowingly make a false and fictitious written statement to Kudzu Tactical LLC, a federally licensed dealer of firearms under Chapter 44 of Title 18, United States Code, located in Cobb County,

Georgia, in connection with the acquisition of at least one of six (6) Taurus, model G2C, 9mm caliber pistols, which statements were intended and likely to deceive Kudzu Tactical LLC as to a fact material to the lawfulness of the acquisition of said firearms by the defendant, KYLE TIMOTHY WATT, under Chapter 44 of Title 18, United States Code, in that the defendant, KYLE TIMOTHY WATT, completed ATF Form 4473 purporting that he was the transferee and buyer of said firearms and was not purchasing the firearms on behalf of another person, when, in fact, the defendant, KYLE TIMOTHY WATT, then well knew that individuals known and unknown to the United States Attorney, including T.T., were the true transferees and buyers of said firearms, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2), and Section 2.

Forfeiture

Upon conviction of the offense set forth in this Criminal Information, the defendant, KYLE TIMOTHY WATT, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in or used in the commission of the offense.

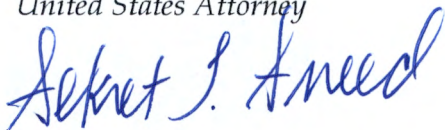
If, as a result of any act or omission of the defendant, any property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;

- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without undue complexity or difficulty;

the United States of America shall be entitled to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

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